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ACTION ARA-10

INFO OCT-01 ISO-00 DHA-02 IO-13 CIAE-00 DODE-00 PM-04 H-01  
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TO SECSTATE WASHDC 9506

[REDACTED] SECTION 1 OF 2 BUENOS AIRES 1852

E.O. 11652: GDS  
TAGS: SHUM PINS AR  
SUBJECT: HUMAN RIGHTS ROUND-UP NO. 12

1. PRESS COMMENTARY. EDITORIALS ON US REDUCTION OF FMS CREDITS AND GOA RESPONSE HAVE NOW TAPERED OFF, ALTHOUGH THERE IS STILL CONSIDERABLE FEATURE STORY SPINOFF MATERIAL, MUCH OF IT DATED FROM US, SOME FROM BRAZIL. THE EDITORIALS THIS PAST WEEK FAIRLY UNIFORMLY PLAYED ON THEME OF ANOMALIES IN US POLICY AND DEFENDED GOA'S DEFENSE OF ITS NATIONAL SOVEREIGNTY. HOWEVER, AFTER A WEEK OF PULLING IN THEIR HORNS IN THE WAKE OF THE GOVERNMENT'S DIPLOMATIC BACKLASH, WE ARE NOW PLEASED TO NOTE, THE TWO LOCAL JOURNALS WHICH HERETOFORE HAVE BEEN IN THE FOREFRONT ADVOCATING RESPECT FOR HUMAN RIGHTS, "LA OPINION" AND "BA HERALD" COLUMNIST PUT IT, THE GOA SHOULD DO SOMETHING ABOUT THE PROBLEM FOR ARGENTINA'S OWN SAKE "WITHOUT PRODDING FROM OUTSIDERS WHO ARE PLAYING AN ENTIRELY DIFFERENT GAME." THE SAME WRITER, INCIDENTALLY, NEVERTHELESS TOOK ARGENTINE AMBASSADOR AJA ESPIL TO TASK FOR THINKING HE COULD PERSUADE AMERICANS WITH THIS STATEMENT THAT "THE UNDERLYING MORALITY IN THE NEED TO OBSERVE HUMAN RIGHTS IS THE VERY ESSENCE OF THE ARGENTINA NATION." THERE IS AN UNUSUALLY STRONGLY WORDED EDITORIAL IN THIS MORNING'S (MAR9) "HERALD" EXPRESSING THE OPINION THAT THE WAY TO DEFEAT SUBVERSION IS TO "TELL THE TRUTH, ACT TO AND INJUSTICE AND STOP EXCESSES. IF THIS IS NOT DONE, THE DANGER IS THAT, AS IN ALGIERS AND VIET

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Margaret P. Grafeld, Director

(X) Release ( ) Excise ( ) Deny

Exemption(s):

Declassify: ( ) In Part (X) In Full

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NAM, MILITARY VICTORY COULD END POLITICAL DEFEAT." WHILE WE CANNOT SAY THAT THIS LINE OF COMMENTARY REFLECTS A TREND, IN VIEW OF THE "HERALD'S" LIMITED READERSHIP AND THE SUSPICIOUS CAST ON "LA OPINION'S" LOYALTY BY THE OFFICIAL ESTABLISHMENT, THE TWO JOURNALS' RETURN TO A FORTHRIGHT POSITION ON HUMAN RIGHTS IS A POSITIVE DEVELOPMENT.

2. VIDELA'S CALL FOR POLITICAL DIALOGUE. THE PRESS IS HAILING GENERAL VIDELA'S COMMENTS ABOARD HIS PRESIDENTIAL JET ON RETURN FROM PERU AS HERALDING A NEW PHASE IN GOVERNMENT POLICY OF CONSULTING WITH REPRESENTATIVE SECTORS OF PUBLIC OPINION CONCERNING THE COUNTRY'S POLITICAL FUTURE. VIDELA SPOKE OF "THE TIME OF SILENCE COMING TO AN END", ALTHOUGH HE MADE CLEAR, AS HAS ADMIRAL MASSERA, THAT HE WAS NOT TALKING ABOUT AN ACCELERATED RETURN TO THE NORMAL ELECTORAL PROCESS. THE PRESIDENT'S CALL FOR A POLITICAL DIALOGUE IS A MUCH BROADER TOPIC THAN THE HUMAN RIGHTS QUESTIONS WE HAVE NORMALLY DISCUSSED IN THESE ROUNDUPS AND WE SHALL BE REPORTING FURTHER ON THIS INITIATIVE (WHICH HAS BEEN ON DRAWING BOARDS FOR SOME TIME) AS ITS SIGNIFICANCE BECOMES CLEARER, BUT OF COURSE IT IS A MATTER RELATED TO HUMAN RIGHTS AND WE MERELY WISH TO ALERT DEPARTMENT TO THIS DEVELOPMENT.

3. ARMY COMMUNIQUE. ON MARCH 6 A WEEKLY RADIO PROGRAM ON ARMY AFFAIRS BROADCAST AN OFFICIAL ARMY STATEMENT ON HUMAN RIGHTS WHICH WAS ALSO REPORTED FOLLOWING DAY IN THE MAJOR NEWS MEDIA. TIMING OF COMMUNIQUE LEAVES LITTLE DOUBT THAT STATEMENT RELEASED IN REACTION TO CONTROVERSY WITH US ON THE HUMAN RIGHTS QUESTION. TEXT FOLLOWS FAMILIAR GOA FORMULATIONS ON THE SUBSTANTIVE ISSUES. IT EXPLICITLY CONDEMNS "ALL HUMAN RIGHTS VIOLATIONS, NO MATTER WHICH IDEOLOGICAL SECTOR IS VIOLATING THEM." THE GOVERNMENT'S AND THE ARMY'S VERY TRADITION, IT CONTINUES, IS ONE OF RESPECT FOR HUMAN RIGHTS, BUT A DISTINCTION MUST BE DRAWN BETWEEN THE NATURAL RIGHTS OF MAN IN THE ABSTRACT AND THE NEED OF GOVERNMENT IN THE REAL WORLD OCCASIONALLY TO RESTRICT LIBERTIES IN DEFENSE OF SOCIETY. ARGENTINA IS IN A WAR IT DIDN'T ASK FOR WITH TERRORISTS WHO METHODICALLY HAVE VIOLATED HUMAN

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RIGHTS AND CREATED A CRIMINAL SITUATION BEYOND POLICE CONTROL, REQUIRING THE INTERVENTION OF THE ARMED FORCES. HOW WOULD ARGENTINES HAVE REACTED, IT ASKS RHETORICALLY, IF THE STATE HAD FAILED TO SUPPRESS CRIME WITH MEANS COMMENSURATE WITH THE GRAVITY OF THE THREAT? ON HEELS OF MILITARY CREDITS ISSUE, COMMUNIQUE IS DEFENSIVE

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IN INTENT, BUT THERE IS NO SUGGESTION OF ANY "GIVE" IN THE ARMY'S POSITION REGARDING THE SUBSTANTIVE ISSUES INVOLVED. "CLARIN" EDITORIAL PICKED UP ON THIS THEME MARCH 8 TO SUGGEST THAT THE GOVERNMENT INTENDS TO REPRESS HUMAN RIGHTS VIOLATIONS "FROM THE RIGHT," BUT IT CAN SAFELY DO SO ONLY WHEN "THE MASSIVE" SUBVERSION OF THE LEFT HAS BEEN DEFEATED DEFINITELY.

4. CATHOLIC PRIESTS IN DETENTION. EMBASSY HAS REPORTED, WITH CONFIRMATION OF LOCAL CATHOLIC NEWS SERVICES, THAT NO CATHOLIC CLERGY CURRENTLY IMPRISONED. HOWEVER, WE HAVE NOW BEEN INFORMED BY NUNCIATURA SOURCE THAT TWELVE PRIESTS ARE IN JAIL, TWO OF THEM SINCE 1975. ACCORDING TO THIS SOURCE, AND WE HAVE NO REASON TO DOUBT THE ACCURACY OF THIS INFORMATION, NUNCIATURA AND CATHOLIC ESPISCOPATE HAVE TRIED REPEATEDLY BUT UNSUCCESSFULLY TO GAIN RELEASE OF THE TWELVE. WE ARE SEEKING FURTHER INFORMATION, BUT IN OUR JUDGMENT CHURCH-STATE RELATIONS HAVE SUFFERED SERIOUSLY IN RECENT MONTHS AS A RESULT OF GOA PRESSURES ON CHURCH TO CONTROL WHAT IS SAID IN SUNDAY SERMONS AND WHAT IS TAUGHT IN CATHOLIC SCHOOLS. THE CHURCH'S INABILITY TO OBTAIN PROMPT, SATISFACTORY REPLIES FROM THE GOVERNMENT WITH RESPECT TO INQUIRIES CONCERNING MISSING INDIVIDUALS AND OTHER SIMILAR ISSUES WHICH HAVE ARISEN. THE INCIDENT REPORTED IN THE NEXT PARAGRAPH FURTHER ADDS TO THE INCREASED ATMOSPHERE OF MUTUAL SUSPICION BETWEEN CHURCH AND STATE.

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5. RELIGIOUS CENTER BOMBED. ON MARCH 7 TWO EARLY MORNING EXPLOSIONS DAMAGED PREMISES OF INSTITUTO DE CULTURA RELIGIOSA SUPERIOR IN DOWNTOWN BUENOS AIRES. NO CASUALTIES RESULTED.

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LESS THAN SIX MONTHS AGO, SAME LOCATION ALONG WITH INSTITUTO'S NEARBY BOOKSHOP WAS SPRAYED WITH MACHINEGUN FIRE. PREISTS RUNNING THE INSTITUTO REFUSED TO SPECULATE ON ATTACKS, BUT PREVIOUS MACHINEGUN INCIDENT COINCIDED WITH FUROR OVER LATIN AMERICAN BIBLE AND INSTITUTE AT THAT TIME WAS LABELLED IN PRESS AS THIRD-WORLD-ORIENTED.

6. WRITS OF HABEAS CORPUS. WRITS HAVE BEEN REQUESTED ON BEHALF OF KIDNAP VICTIMS IN THE PAST, BUT IN SMALL NUMBERS RELATIVE TO THE TOTAL AMOUNT OF DISAPPEARANCE CASES BECAUSE OF FEAR OF REPRISALS AND THE FUTILITY OF SUCH LEGAL ACTIONS. HOWEVER, NUMBERS JUMPED SIGNIFICANTLY ON MARCH 2-3 WHEN AT LEAST 69 WERE SUBMITTED IN VARIOUS FEDERAL COURTS. LOCAL PRESS HAS COMMENTED THAT THIS IS A SIGNIFICANT DEVELOPMENT DEMONSTRATING THAT KIDNAPPINGS ARE A FREQUENT OCCURRENCE AND A SERIOUS PROBLEM. WE ARE CHECKING FURTHER AS TO THE GENESIS OF THIS DEVELOPMENT.

7. LISTS CONTINUE TO BE PUBLISHED. THE GOVERNMENT IS CONTINUING TO PUBLISH LISTS OF THOSE ARRESTED AND AT DISPOSITION OF THE EXECUTIVE, THOSE RELEASE FROM UNDER STATE OF SIEGE TERMS (THOUGH NOT NECESSARILY FREED FROM JAIL) AND THOSE FOREIGNERS EXPELLED. LATEST FIGURES COVERING FEBRUARY 27-MARCH 5 SHOW

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APPROXIMATELY 50 ARRESTS, 50 RELEASES AND SIX EXPULSIONS.

8. JOURNALISTS KIDNAPPED. ON MARCH 1, TWO JOURNALISTS, MARIO MACTAS AND OSCAR ELOTTA, WERE TAKEN FROM THE DOWNTOWN OFFICES OF THEIR PUBLISHING COMPANY BY UNIDENTIFIED, ARMED CIVILIANS. WRITS OF HABEAS CORPUS WERE FILED ON THEIR BEHALF. "LA RAZON" OF MARCH 7 REPORTED THAT THEY, ALONG WITH A THIRD EMPLOYEE NOT PREVIOUSLY CITED AS MISSING, HAD REAPPEARED, APPARENTLY UNHARMED. IDENTIFY OF KIDNAPPERS UNDISCLOSED. ALLTHREE WORKED FOR PUBLISHER OF "EMMANUELLE", A MAGAZINE RECENTLY BANNED BY BUENOS AIRES PROVINCIAL AUTHORITIES BECAUSE OF ITS "INSIDIOUS COMPAIGN TO DESTROY THE TRADITIONAL FAMILY."

9. CLANDESTINE PRESS. EMBASSY RECEIVED THIS WEEK ISSUE NUMBER 4 (FEB 1977) OF "CADENA INFORMATIVA," A MIMEOGRAPHED BROADSIDE THAT, ACCORDING TO SOURCE AT NUNCIATURA, IS COMPILED AND DISTRIBUTED CLANDESTINELY BY FAMILIES AND FRIENDS OF VICTIMS OF HUMAN RIGHTS ABUSES BY SECURITY FORCES. ISSUE 4 DETAILS KILLINGS BY SECURITY PERSONNEL AND ATTACKS "SHOOT OUTS" ALLEGEDLY STAGED TO

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COVER MURDER OF PRISONERS.

10. NEW PENALTIES FOR JEHOVAH'S WITNESSES. LAW 21,528 PUBLISHED IN OFFICIAL GAZETTE OF FEBRUARY 23 AMENDS CODE OF MILITARY JUSTICE (AR 668) TO ADD PERMANENT AND ABSOLUTE DEPRIVATIONS OF CIVIL RIGHTS (VOTING, HOLDING PUBLIC OFFICE, ETC.) TO JAIL TERMS ALREADY PRESCRIBED FOR REFUSAL TO FULFILL MILITARY SERVICE OBLIGATIONS. LAW APPLIES NEW SANCTION SPECIFICALLY TO THOSE HOLDING "AN INHERENT POSITION OF REBELLION AGAINST FULFILLMENT OF DUTIES OF CITIZENSHIP...WHO INVOKE REASONS OF CONSCIENCE OR BELONGING TO PSUEDO-RELIGIOUS SECTS SUCH AS JEHOVAH'S WITNESSS, BIBLE READERS (LECTORES DELA BIBLIA), ETC." PRESS HAS NOT COMMENTED ON LAW, AND WE HAVE BEEN UNABLE TO REACH WITNESSES' REPRESENTATIVE FOR REACTION.  
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